

Message Text

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MILITARY ADEES HANDLE AS SPECAT EXCLUSIVE

E.O. 11652: GDS

TAGS: MASS MARR PFOR TU

SUBJ: TURKISH BASE NEGOTIATIONS: IMPORT/EXPORT, ANNEXES AND
CONSTRUCTION AND CHANGE

REF :(A) STATE 25700 (B) STATE 26621 (C) STATE 26986 (D) ANKARA 917

(E) ANKARA 863

1. SINCE INSTRUCTIONS TRANSMITTED REFS A, B AND C DID
NOT PERMIT US TO AGREE TO PACKAGE TURKISH WORKING GROUP CHAIRMAN
ASULA HAD TENTATIVELY ACCEPTED ON FEBRUARY 3 (REF D), ASULA IN
PRIVATE

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SESSION WITH MSA COUNSELOR GARDNER TODAY (FEBRUARY 4)

STATED THAT HE WAS NOW REQUIRED BY LACK OF TIME TO
SUBMIT JOINT BRACKETED TEXTS OF THESE THREE ARTICLES TO
MFA SEC GEN ELEKDAG. IN ENSUING REVIEW OF
TEXTS, ASULA INCLUDED IN BRACKETS MOAW OF THE TURKISH
PARAGRAPH WE FOUND OBJECTIONABLE, ACCEDED TO OUR
LANGUAGE IN A FEW INSTANCES AND RETURNED IN OTHER
INSTANCES TO LANGUAGE WHICH HE HAD PREVIOUSLY INDICATED
SOME WILLINGNESS TO DROP. THESE JOINT TEXTS ARE
BEING TRANSMITTED SEPTEL. FOLLOWING ARE A BRIEF SUMMARY
OF THE ASULA-GARDNER CONVERSATION AND U.S. TEAM'S COMMENTS.

2. ASULA AGREED TO PARAS 1 AND 2 OF ARTICLE VII ON ANNEXES AS
SET FORTH REF F AND APPROVED REF A. HE ASKED, HOWEVER, THAT
TURKISH PARA 3 REQUIRING U.S. TO SUBMIT INVENTORIES OF EQUIPMENT
AND MATERIALS BE RETAINED IN TURKISH BRACKETS. (COMMENT: WE KNOW
FROM ASULA'S PREVIOUS CONVERSATIONS (REF F) THAT ELEKDAG IS WILLING
TO DROP THIS PARAGRAPH BUT A QUID PRO QUO -- PROBABLY GOT
PRIOR APPROVAL FOR IMPORTATION OF MAJOR ITEMS OF EQUIPMENT
(SEE BELOW) ---WILL BE REQUIRED.

3. ASULA ACCEPTED TEXT ON CONSTRUCTION AND CHANGE SET FORTH
REF E AND APPROVED REF C WITH TWO BRACKETED TURKISH PHRASES
IN FIRST PARAGRAPH, WHICH WOULD THEN READ AS FOLLOWS:
"CONSTRUCTION OF NEW BUILDINGS AND OTHER PROPERTY
INCORPORATED INTO THE SOIL (TURKISH: AT THE INSTALLATIONS
AND FACILITIES) AND DEMOLITION, REMOVAL, ALTERATIONS OR MODERNIZA-
TION WHICH CHANGE THE BASIC STRUCTURE OF SUCH PROPERTY,
(TURKISH: AS WELL AS MODERNIZATION PROJECTS INVOLVING
MAJOR ITEMS OF EQUIPMENT) SHALL BE SUBJECT TO PRIOR
APPROVAL OF THE APPROPRIATE TURKISH AUTHORITIES."

A. ASULA EXPLAINED THAT FIRST BRACKET WAS NECESSARY
TO INSURE CONTINUATION OF PRESENT PRACTICE OF OBTAINING TURKISH
APPROVAL FOR CONSTRUCTION AT "FACILITIES" SUCH AS BALGAT AIR
STATION IN ANKARA. (COMMENT: ALTHOUGH WE DO NOT CON-
SIDER THIS PHRASE NECESSARY, IT APPEARS UNOBJECTIONABLE.)

B. ASULA STATED THAT TURKS REQUIRE PRIOR APPROVAL OF
MODERNIZATION OF EQUIPMENT BUT THAT THE WORD "PROJECTS" GAVE
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US LATITUDE TO MODERNIZE INDIVIDUAL ITEMS OF EQUIPMENT WITHOUT
PRIOR APPROVAL. ASULA STATED THAT HE PREFERRED THIS FORMULATION
OVER THAT WORKED OUT ON FEBRUARY 2 (REF E PARA 6, SUBPARA 2)
BUT LEFT DOOR OPEN FOR POSSIBLE ACCEPTANCE OF LATTER FORMULATION.
(COMMENT: TURKISH LANGUAGE IS NOT REPEAT NOT
ACCEPTABLE. WE BELIEVE WE CAN LIVE WITH LANGUAGE TRANSMITTED
REF E, HOWEVER, IF REQUIRED TO DEVELOP AN ACCEPTABLE
PACKAGE COVERING ALL THREE ARTICLES MENTIONED IN THIS TELEGRAM.)

4. ARTICLE VIII ON IMPORTATION PREDICTABLY PRODUCED MOST DISAGREEMENT.

A. ASULA OBJECTED TO INCLUSION OF "CIVILIAN COMPONENTS AND DEPENDENTS" IN FIRST PARAGRAPH, ARGUING THAT THIS WAS A SOFA IMPLEMENTATION PROVISION, WHICH SHOULD BE HANDLED ELSEWHERE. GARDNER STATED THAT GOT MUST ACCEPT FACT THAT A FSOFA IMPLEMENTATION AGREEMENT WILL BE REQUIRED PRIOR TO OR AT LEAST CONCURRENT WITH THE DEFENSE COOPERATION AGREEMENT AND SHOULD NOT REPEAT NOT OBJECT, THEREFORE, TO THIS PARTICULAR FORMULAATION. ASULA RELUCTANTLY AGREED TO MENTION OF CIVILIAN COMPONENTS AND DEPENDENTS BUT INSISTED ON ALTERNATIVE LANGUAGE TO MAKE CLEAR THAT "EQUIPMENT" WAS NOT BEING IMPORTED FOR THEM. (COMMENT: US NEGOTIATING TEAM HAS NO DIFFICULTY WITH ASULA'S FORMULATION. REQUEST DEPARTMENT'S APPROVAL.)

B. ASULA ASKED THAT "IN CONSONANCE" IN FIRST PARAGRAPH BE REPLACED WITH "IN ACCORDANCE," SINCE FORMER HAD NO TURKISH EQUIVALENT. (COMMENT: WE SEE NO PROBLEM HERE; REQUEST WASHINGTON'S APPROVAL FOR THIS CHANGE.)

C. ASULA ASKED THAT "EXCEPT AS PROVIDED IN THE SUBSEQUENT PARAGRAPHS OF THIS ARTICLE" BE ADDED TO FIRST PARAGRAPH. GARDNER STATED THAT THIS WAS ENTIRELY UNACCEPTABLE SINCE IT IMPLIED THAT GOT WOULD REFUSE APPROVAL FOR IMPORTATION OF SPECIAL ITEMS MENTIONED IN SUBSEQUENT PARAGRAPHS. AFTER FURTHER DISCUSSION, ASULA CHANGED HIS FORMULATION TO READ "SUBJECT TO THE PROVSIONS OF THE SUBSEQUENT PARAGRAPHS OF THIS ARTICLE." GARDNER STATED THAT THIS PHRASE WAS NOT NECESSARY BUT, WHEN ASULA POINTED OUT THAT
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SIMILAR PHRASEOLOGY HAD BEEN USED ELSEWHERE IN THE AGREEMENT ON U.S. REQUEST, AGREED TO SEEK WASHINGTON'S GUIDANCE. (COMMENT: WE WOULD APPRECIATE WASHINGTON'S COMMENTS ON THIS ADDITION?)

D. ASULA STATED THAT GOT COULD NOT ACCEPT "MUTUALLY AGREED" PROCEDURES FOR CUSTOMS CONTROL OF ARMS AND AMMUNITION AND OTHER CLASSIFIED MATERIAL AND EQUIPMENT, AND NOTED THIS WENT BEYOND DCA. (COMMENT: CAN WASHINGTON ACCEPT TURKISH LANGUAGE HERE?)

E. ASULA INDICATED THAT PRIOR GOT APPROVAL OF IMPORTATION OF MAJOR ITEMS OF EQUIPMENT WAS A FIRM TURKISH REQUIREMENT. GARDNER POINTED OUT THAT THIS WOULD SET TROUBLESOME AND UNACCEPTABLE PRECEDENT FOR U.S. HE DID NOT RPT NOT ASK ASULA WHETHER HE COULD

ACCEPT QUALIFIER "WHICH CHANGE THE PURPOSE OR MISSION OF AN INSTALLATION (PARA 3, REF B) SINCE ASULA WOULD HAVE ALMOST CERTAINLY REJECTED IT AT THAT POINT AND SINCE THIS FORMULATION MIGHT BE MORE ACCEPTABLE TO TURKS LATER AS PART OF A PACKAGE.

F. GARDNER INSISTED THAT SIXTH PARAGRAPH ON PROVIDING MANIFESTS BE PLACED IN U.S. BRACKETS SINCE TURKS HAD NOT DROPPED THEIR THIRD PARAGRAPH OF ARTICLE VII.

5. ALTHOUGH ASULA WISHED TO RAISE THESE THREE ARTICLES IN AMBASSADOR-SEC GEN MEETING TODAY, WE ASKED THAT SUBSTANTIVE DISCUSSION AT THIS LEVEL BE DEFERRED UNTIL TOMORROW (FEBRUARY 5), IN ORDER TO PERMIT US TO GET WASHINGTON'S COMMENTS. FOR IMPORTANT REASONS WE LISTED PARAGRAPH 5 REF D, WE BELIEVE IT IS MUCH TO OUR BENEFIT TO REACH AGREEMENT ON THESE ARTICLES BEFORE WASHINGTON MEETING. WE WOULD BE MOST GRATEFUL IF WASHINGTON COULD RECONSIDER PACKAGE OUTLINED PARAGRAPH 4 REF D OR SUGGEST OTHER ROUTES TO AGREEMENT. IF WE ARE TO HAVE ANY REAL HOPE OF ADHERING TO A REALISTIC TIME TABLE, WE MUST RPT MUST HAVE WASHINGTON'S COMMENTS BY OPENING OF BUSINESS TOMORROW, FEB. 5. MACOMBER

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